

Serial No.: 09/730,214
Filed: December 5, 2000
Docket No. 1125722-0005

REMARKS

Upon entry of the amendments herein, claims 22-26, 28, 29, 31-33 and 35-40 remain pending in the application. Claims 22 and 33 have been amended herein.

Background

In earlier Office Actions, the Examiner raised and then maintained various indefiniteness rejections of the claims. To expedite prosecution and assist the Examiner, but without conceding the propriety of any rejections, Applicants amended the claims on August 9, 2004 and again on April 26, 2005.

However, the claims remained rejected in each instance. The Examiner based the rejections on grounds similar to those previously asserted, as well as some new ones.

Notice of Appeal

Applicants have now submitted a Notice of Appeal in this application. The present communication introduces new claim amendments. More particularly, the claims have been amended herein by deletion of such previously introduced language as "previously unknown, realizable" from the preamble and "preselected length," "fixed radius," "another space-filling generic side chain," "where an amino acid residue would ultimately be inserted" and "novel" from the body. In this way, many, if not all, of the outstanding rejections under 35 U.S.C. §112, first and second paragraphs have been rendered moot, thus considerably reducing the number of outstanding issues.

The amendments presented herein comply fully with the requirements of 37 C.F.R. §41.33 for amendments filed after the filing of a Notice of Appeal but prior to the date of filing an Appeal Brief, and also meet the guidelines set forth in MPEP §1206; the amendments serve to

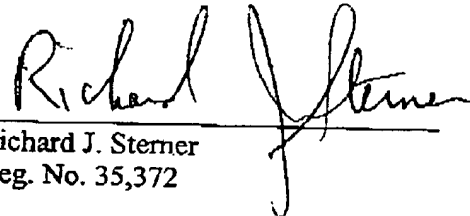
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present the rejected claims in better form for consideration on appeal. Entry of the amendments is proper, and such entry is respectfully requested.

No additional fees should be due in connection with this communication. However, should it be determined that a fee is required for any reason, the Commissioner is hereby authorized to charge it to Deposit Account No. 23-1703.

Dated: May 12, 2006

Respectfully submitted,



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